

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

SECTEK, INC.

and

Case 05-CA-190674

LAMONT BENNINGS

ORDER¹

The Petition to Revoke subpoena ad testificandum A-1-X2DK49, filed by Moyer O’Neil Draper, is denied.² The subpoena seeks information relevant to the matters under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board’s Rules and Regulations. See *Postal Workers Local 64 (USPS)*, 340 NLRB 912 (2003); *Offshore Mariners United*, 338 NLRB 745 (2002). Further, the Petitioner has failed to establish any other legal basis for revoking the subpoena. See generally, *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., February 8, 2018.

MARVIN E. KAPLAN,	CHAIRMAN
MARK GASTON PEARCE,	MEMBER
WILLIAM J. EMANUEL,	MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

² The Petitioner seeks to revoke the subpoena, in part because of his concern that giving testimony may conflict with his pastoral or clerical functions. The Region has made clear that it is not seeking testimony regarding any confidential communications that the Petitioner may have had with his supervisors or co-workers in his capacity as a clergy-member. Instead, the Region is seeking the Petitioner’s testimony regarding matters occurring at his public workplace and concerning matters of employment that he has already discussed with the Employer’s supervisors or his coworkers, and to which he would have been a party in his capacity as an employee.